



House of Representatives

General Assembly

File No. 577

January Session, 2015

Substitute House Bill No. 6047

House of Representatives, April 13, 2015

The Committee on Environment reported through REP. ALBIS of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT PROVIDING PROPER FUNDING FOR STATE HATCHERIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2015*) (a) There is established the
2 Connecticut Fish Hatcheries and Recreational Fisheries Trust to
3 promote and enhance the funding of the state's fish hatcheries and the
4 state's recreational fisheries programs. The trust shall receive and hold
5 all payments and deposits or contributions intended for the trust,
6 including gifts, donations, bequests, endowments or federal, state or
7 local grants and any other funds from any public or private source and
8 all earnings until disbursed in accordance with subsection (d) of this
9 section.

10 (b) The amounts on deposit in the trust shall not constitute property
11 of the state and the trust shall not be construed to be a department,
12 institution or agency of the state. Amounts on deposit in the trust shall
13 not be commingled with state funds and the state shall have no claim
14 to or against, or interest in, such funds. Any contract entered into by or
15 any obligation of the trust shall not constitute a debt or obligation of

16 the state and the state shall have no obligation to any designated
17 beneficiary or any other person on account of the trust and all amounts
18 obligated to be paid from the trust shall be limited to amounts
19 available for such obligation on deposit in the trust. The amounts on
20 deposit in the trust may only be disbursed in accordance with the
21 provisions of subsection (d) of this section. The trust shall continue in
22 existence as long as it holds any deposits or has any obligations and
23 until its existence is terminated by law and upon termination any
24 unclaimed assets shall return to the state.

25 (c) The State Treasurer shall be responsible for the receipt,
26 maintenance, administration, investing and disbursements of amounts
27 from the trust. The trust shall not receive deposits in any form other
28 than cash. The Commissioner of Energy and Environmental Protection
29 may not direct the investment of any contributions or amounts held in
30 the trust.

31 (d) The Commissioner of Energy and Environmental Protection
32 shall direct the State Treasurer to disburse funds from the trust for the
33 funding of the state's fish hatcheries and the state's recreational
34 fisheries programs. The commissioner may determine the requisite
35 amount and timing for any such disbursement. Any disbursement
36 from the trust shall be for the purpose of funding the state's fish
37 hatcheries and the state's recreational fisheries programs.

38 Sec. 2. Section 26-27 of the general statutes is amended by adding
39 subsection (j) as follows (*Effective July 1, 2015*):

40 (NEW) (j) Any fishing license application issued or utilized by the
41 commissioner pursuant to this part shall, in addition to any other
42 information prescribed by the commissioner, contain a check box that
43 enables an applicant to elect to make a donation to the Connecticut
44 Fish Hatcheries and Recreational Fisheries Trust, established pursuant
45 to section 1 of this act. Any such donation to the trust shall be made in
46 addition to the requisite fee for such fishing license. Any donation to
47 the trust that is received by the commissioner pursuant to this
48 subsection shall be transferred by the commissioner to the State

49 Treasurer for deposit in said trust provided nothing in this subsection
50 shall be construed to restrict or limit the commissioner's authority to
51 otherwise receive gifts, donations, bequests, endowments or federal,
52 state or local grants and any other funds from any public or private
53 source for deposit into said trust.

54 Sec. 3. (*Effective from passage*) (a) There is established a task force to
55 study the sustainability of the state's recreational fisheries. Such study
56 shall include, but not be limited to, an examination of all issues that
57 affect and threaten the sustainability of the state's recreational
58 fisheries. Additionally, such task force shall make a recommendation
59 on a dedicated source of revenue for funding the Connecticut Fish
60 Hatcheries and Recreational Fisheries Trust established pursuant to
61 section 1 of this act. In developing such recommendation, the task
62 force shall examine the feasibility of dedicating a percentage of all
63 recreational fishing license fees for deposit in such trust.

64 (b) The task force shall consist of the following members:

65 (1) Two appointed by the speaker of the House of Representatives;

66 (2) Two appointed by the president pro tempore of the Senate;

67 (3) One appointed by the majority leader of the House of
68 Representatives;

69 (4) One appointed by the majority leader of the Senate;

70 (5) One appointed by the minority leader of the House of
71 Representatives;

72 (6) One appointed by the minority leader of the Senate;

73 (7) The Commissioner of Energy and Environmental Protection, or
74 the commissioner's designee;

75 (8) Two persons appointed by the Governor; and

76 (9) The cochairpersons of the joint standing committee of the

77 General Assembly having cognizance of matters relating to the
78 environment, or said cochairpersons' designees.

79 (c) Any member of the task force appointed under subdivision (1),
80 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
81 of the General Assembly.

82 (d) All appointments to the task force shall be made not later than
83 thirty days after the effective date of this section. Any vacancy shall be
84 filled by the appointing authority.

85 (e) The speaker of the House of Representatives and the president
86 pro tempore of the Senate shall select the chairpersons of the task force
87 from among the members of the task force. Such chairpersons shall
88 schedule the first meeting of the task force, which shall be held not
89 later than sixty days after the effective date of this section.

90 (f) The administrative staff of the joint standing committee of the
91 General Assembly having cognizance of matters relating to the
92 environment shall serve as administrative staff of the task force.

93 (g) Not later than February 1, 2016, the task force shall submit a
94 report on its findings and recommendations to the joint standing
95 committee of the General Assembly having cognizance of matters
96 relating to the environment, in accordance with the provisions of
97 section 11-4a of the general statutes. The task force shall terminate on
98 the date that it submits such report or February 1, 2016, whichever is
99 later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	New section
Sec. 2	<i>July 1, 2015</i>	26-27
Sec. 3	<i>from passage</i>	New section

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Various State Agencies	GF - Potential Cost	Less than 1,000	None

Note: GF=General Fund

Municipal Impact: None**Explanation**

The bill creates the Connecticut Fish Hatcheries and Recreational Fisheries trust to promote and fund the state's fish hatcheries and recreational fisheries programs. It requires the Treasurer to administer the trust. Also, the bill requires the Department of Energy and Environmental Protection (DEEP) to disburse funds from the trust and provide a check box on fishing license applications to make donations to the trust.

The bill also establishes a task force to study the sustainability of the state's recreational fisheries. There may be a cost of less than \$1,000 in FY 16 to those agencies participating in the task force to reimburse legislators and agency staff for mileage expenses.

The Out Years

There is no ongoing fiscal impact because the task force terminates in FY 16.

OLR Bill Analysis**sHB 6047*****AN ACT PROVIDING PROPER FUNDING FOR STATE HATCHERIES.*****SUMMARY:**

This bill establishes the Connecticut Fish Hatcheries and Recreational Fisheries Trust to promote and fund the state's fish hatcheries and recreational fisheries programs. The treasurer must administer the trust and the Department of Energy and Environmental Protection (DEEP) commissioner must direct her to disburse funds from it. The bill also requires the DEEP commissioner to add a box to fishing license applications that applicants may check to make a donation to the trust.

Additionally, the bill establishes a 13-member task force to study the sustainability of the state's recreational fisheries, including the feasibility of dedicating a portion of all recreational fishing license fees to the trust. The task force must report its findings and recommendations to the Environment Committee by February 1, 2016.

EFFECTIVE DATE: July 1, 2015, except for the task force provisions, which are effective upon passage.

TRUST

The bill establishes the Connecticut Fish Hatcheries and Recreational Fisheries Trust, which must receive and hold all payments, deposits, and contributions intended for it, including gifts, donations, bequests, endowments, government grants, other public or private funds, and earnings. The trust may only receive cash deposits.

The bill provides that the trust's funds are not state property and the trust is not a state department, institution, or agency. Trust funds

cannot be commingled with state funds and the state has no claim to or against, or interest in, them. The trust's debts or obligations are not the state's debts or obligations. The trust exists as long as it holds any deposits or has obligations and until it is terminated by law. Upon termination, any unclaimed trust assets return to the state.

The state treasurer must receive deposits for the trust and maintain and administer it, including investing and disbursing its funds. The DEEP commissioner must direct the disbursement of trust funds, but is prohibited from directing their investment.

Trust funds may be disbursed to fund the state's fish hatcheries and recreational fisheries programs. The DEEP commissioner may determine the amount and timing of any disbursement.

TASK FORCE

Purpose

Under the bill, the task force must examine all issues affecting and threatening the sustainability of the state's recreational fisheries. It must recommend a dedicated source of revenue for funding the Connecticut Fish Hatcheries and Recreational Trust, which the bill establishes, and consider the feasibility of dedicating a percentage of all recreational fishing license fees for deposit in the trust.

Membership

The task force consists of the DEEP commissioner and the chairpersons of the Environment Committee, or their designees, and 10 appointed members, who must be appointed within 30 days after the bill's passage. The governor, Senate president pro tempore, and House speaker each appoint two members and the majority and minority leaders each appoint one member. Legislative leaders' appointees may be legislators. The appointing authority fills any vacancy.

The Senate president and House speaker select the task force's chairpersons from among its members. The chairpersons must hold the task force's first meeting within 60 days after the bill's passage.

Staff

The Environment Committee's administrative staff serves as the task force's staff.

Report

The task force must report its findings and recommendations to the Environment Committee by February 1, 2016. The task force ends when it submits its report or on February 1, 2016, whichever is later.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/25/2015)